

REMARKS

In the application a Final Rejection was issued on July 26, 2007 and an Amendment After Final Rejection was timely filed on January 28, 2008 (January 26, 2008 being a Saturday), together with a three month Petition for Extension of Time and the required fee. A protective Notice of Appeal was concurrently filed.

An Advisory Action was issued on February 20, 2008 in which the Examiner gave reasons as to why the arguments presented in the Amendment After Final Rejection did not overcome the ground of rejection.

After considering the Advisory Action of February 20, 2008, applicants elect to proceed by filing a Request for Continued Examination (RCE) with an amended main claim 1.


The amended claim 1 makes it clear that the CO₂ concentration of the air in the incubation chamber becomes more uniform. Therefore, the detection of the CO₂ gas concentration can be made more accurate.

The novel and advantageous features of amended claim 1 are not shown or suggested by the art of record. Therefore, claim 1 and the claims that depend from it are patentable and should be allowed.

Prompt and favorable action is requested.

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Respectfully submitted,

By 

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